

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHARLES JAMES LOCKHART, a.k.a.  
CHARLES JAMES JACKSON,<sup>1</sup>

Plaintiff,

vs.

CHRIS CARTWRIGHT, and  
TRANSUNION, LLC;  
  
Defendants.

**8:23CV34**

**MEMORANDUM AND ORDER**

Plaintiff Charles James Lockhart, a.k.a. Charles James Jackson, a non-prisoner, filed a Motion for Leave to Proceed in Forma Pauperis. [Filing No. 5](#); [Filing No. 5-1](#).<sup>2</sup> Upon review of Plaintiff's Motion, the Court finds that Plaintiff is financially eligible to proceed in forma pauperis.

Plaintiff also filed a form summons, which the Court construes as a motion for summons. [Filing No. 6](#). This matter may not proceed to service of process at this time. Because Plaintiff is proceeding in forma pauperis, the Court is required to review Plaintiff's Complaint to determine whether summary dismissal is appropriate. See [28 U.S.C. § 1915\(e\)\(2\)](#). The Court must dismiss a complaint or any portion thereof that states a frivolous or malicious claim, that fails to state a claim upon which relief may be

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<sup>1</sup> Plaintiff identified himself as "Charles James Jackson" in the caption of his Complaint but listed his name as "Charles James Lockhart" throughout the body of the Complaint. [Filing No. 1](#). The Complaint was unsigned upon filing, but in response to the Clerk of the Court's text notice of deficiency, Plaintiff signed the Complaint as "Charles Lockhart." [Filing No. 1-1 at 5](#). Plaintiff also uses the name "Charles James Lockhart" in all of his other filings in this case as well as in two additional cases filed simultaneously with this case. See [Filing Nos. 3, 4, 5 & 6](#); see also *Lockhart v. Begor et al.*, 8:23-cv-00033-JFB-PRSE (D. Neb. Jan. 26, 2023); *Lockhart v. Cassin et al.*, 8:23-cv-00032-JFB-PRSE (D. Neb. Jan. 26, 2023). Accordingly, the Court has updated the caption to reflect both names utilized by Plaintiff and will direct the Clerk of the Court to do the same.

<sup>2</sup> Plaintiff's motion was unsigned upon filing. See [Filing No. 5 at 2](#). In response to the Clerk of the Court's text notice of deficiency, Plaintiff corrected the signature deficiency on February 1, 2023, and provided additional information regarding his debts and financial obligations. [Filing No. 5-1](#).

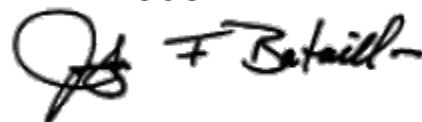
granted, or that seeks monetary relief from a defendant who is immune from such relief. [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#). This matter may not proceed to service of process unless so ordered by the Court after conducting this initial review.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed in Forma Pauperis, [Filing No. 5](#); [Filing No. 5-1](#), is granted, and the Complaint shall be filed without payment of fees.
2. Plaintiff's Motion for Summons, [Filing No. 6](#), is denied as premature.
3. The Clerk of the Court is directed to update the docket sheet to identify Plaintiff as "Charles James Lockhart, a.k.a. Charles James Jackson."
4. Plaintiff is advised that the next step in his case will be for the Court to conduct an initial review of his claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The Court will conduct this initial review in its normal course of business.

Dated this 8th day of February, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Judge